

Response to Office Communication	Application Number	09/398,399
	Attorney Docket Number	10981620-3
	Filing Date	September 17, 1999
	First Named Inventor	Delenstarr
	Examiner	Sisson, B.
	Group Art	1634
	Title	Arrays Comprising Background Features that Provide for a Measure of Non-Specific Binding and Methods for Using the Same

Sir:

This communication is filed in response to the Office Communication dated June 16, 2003 for the above-captioned application.

In the June 16, 2003 office communication, the Examiner requested that additional specificity with regards to support for the previously filed amendments be provided. The following provides the requested additional specificity.

As summarized in the previously filed response, Claims 50, 58, 59, 60 and 71 were amended to specify that the claims include both a labeling step and an unbound target nucleic acid/label separation step prior to the detecting step. Support for the labeling step is found, among other locations, at page 25, line 21 to page 26, line 9. Support for the separation step is found at page 31, lines 10 ff where an analyted contacted array is washed. Claims 64, 66 and 67 were also amended to include an unbound label separation step prior to the claimed detection step, support for these amendments being found in the same location.

If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone Gordon Stewart at (650) 485-2386. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1078.

Respectfully submitted,

Date: 8.6.03

By:

Bret E. Field
Registration No. 37,620

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10981620-3

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Delenstarr

Serial No.: 09/398,399

Examiner: Sisson, B.

Filing Date: 09/17/1999

Group Art Unit: 1634

Title: ARRAYS COMPRISING BACKGROUND FEATURES THAT PROVIDE FOR A MEASURE OF NON-SPECIFIC BINDING AND METHODS FOR USING THE SAME

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COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

AUG 15 2003

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

TECH CENTER 1600/2900

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment () Petition to extend time to respond
 () New fee as calculated below () Supplemental Declaration
 () No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
 () Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$84	\$ 0
I FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$280		\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$410.00	3RD MONTH \$930.00	4TH MONTH \$1450.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Delenstarr

By

Bret Field for Gordon Stewart

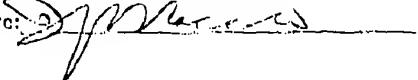
Attorney/Agent for Applicant(s)
Reg. No. 37,620

Date: 08-06-2003

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: 08-06-2003

Typed Name: Donna Macedo

Signature: 

FACSIMILE TRANSMITTAL

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Date: August 6, 2003

To: Examiner Bradley Sisson

U.S. Patent Office, Art Unit 1634

Fax: 703-305-7230

From: Bret Field

Docket No. 10981620-3

Re: Please acknowledge receipt of the attached Response to Office Communicaiton sent August 6, 2003 via return facsimile.

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Thank you for your assistance in this matter.

If you have any questions please feel free to contact me at number listed above.

See attached for details.

Total including cover 3 pages

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